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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,949	02/25/2004	Wim van de Camp	31599/268646	3781
826	7590	03/03/2006	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			KIM, SANG K	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/786,949

Applicant(s)

VAN DE CAMP, WIM

Examiner

SANG KIM

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-23 and 25-28 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 11-12, 22 and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 05085670.

With respect to claims 1-2, 11-12, 22 and 27, JP '670 teaches a method of using the apparatus, as shown in figures 1-7. JP '670 shows a winding core comprising: a hollow cylindrical core member (1) having an inner surface (2), an outer surface (3), and first and second ends (left and right ends); a chuck-engaging layer (a surface layer portion of drum 21 contacting the inner surface 2) attached on the inner surface of the core member, wherein a hardness of the chuck-engaging layer is less than a hardness of the core member (Note: a hardness of steel is greater than a hardness of rubber, and the rubber sleeve 2 can be easily fitted to the core member 1, see abstract); and a chuck (21) rotates about a longitudinal axis extending through the core member to wind and unwind a web material about the outer surface of the core member.

With respect to claim 28, JP '670 shows the outermost layer 3 of the core member 1 is circumferentially continuous and cylindrical, see drawing 1.

Claim Rejections - 35 USC § 103

Art Unit: 3654

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05085670.

JP '670 teaches the chuck-engaging layer made from a rubber material, but does not explicitly state what type of rubber it is made from.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select a polymeric or synthetic rubber because of its characteristics provide durability, friction, and hardness to correspond to the nature of the material being wound or unwound.

Claims 6-10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05085670.

With respect to claims 6-9, JP '670 shows many different dimensions with respect to the core member of inner and outer diameters.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select the size ranges specified in the claims when making the core, it being well known in the art to size rolls and cores to correspond to the nature of the material being wound. It would have been well within the level of skill of one skilled

Art Unit: 3654

in the art to select the claimed dimensions based on considerations such as the material and size of roll desired.

With respect to claims 10 and 25, JP '670 shows the chuck-engaging layer extends the entire length due to the chuck extending all the way through the core member.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the chuck-engaging layer with respect to the chuck's length to reduce costs. Note: Applicant recognizes that the length of the chuck-engaging layer could be any length to accommodate different sized chucks, see specification on page 9, lines 12-13.

Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05085670, in view of EP 1211214.

JP '670 does not teach a paper-based material for the inner layer and a glass fiber reinforced plastic material for the outer layer.

EP '214 teaches the tube made of different materials, such as paper, fiberglass or the like for the inner and outer layers, see columns 2-4.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the materials of JP '670 with the materials taught by EP '214, to provide an easier grip with respect to the chucks and prevent the core from being damaged during winding and unwinding of heavy materials.

Art Unit: 3654

Claims 16-19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05085670, in view of Montalvo, U.S. Patent No. 5326113.

With respect to claims 16-17 and 26, JP '670 shows the chuck (21) which is made to expand, but does not show a double row of expanding elements.

Montalvo '113 shows chucks (left and right ends) with a double row of expanding elements (69) to engage the core, figure 4.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the chuck of JP '670 with a double row of expanding elements to engage the core and supporting both ends as taught by Montalvo '113, to help engage the core better.

With respect to claims 18-19, as advanced above, JP '670 in view of Montalvo '113 shows many different dimensions with respect to the core member.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select the size ranges specified in the claims when engaging the chuck into the core, it being well known in the art to size rolls, chucks, and cores to correspond to the nature of the material being wound. It would have been well within the level of skill of one skilled in the art to select the claimed dimensions based on considerations such as the material and size of roll desired.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05085670 in view of Gentry, U.S. Patent No. 6161791 as applied to claim 20 above, and further in view of Fejer, Science and Technology.

Art Unit: 3654

JP '670 in view of Gentry '791 does not explain a chuck factor of at least .85 when rotating the chuck 21.

Fejer explains a chuck factor of at least .85 when rotating the chuck, see pages 37-38.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the chuck with rotation of the chuck with at least .85 of chuck factor as taught by Fejer, to provide stability and limit the vibration frequency during winding and unwinding.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 05085670, in view of Fejer, Science and Technology.

JP '670 does not explain a chuck factor of at least .85 when rotating the chuck 21.

Fejer explains a chuck factor of at least .85 when rotating the chuck, see pages 37-38.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the chuck with rotation of the chuck with at least .85 of chuck factor as taught by Fejer, to provide stability and limit the vibration frequency during winding and unwinding.

Allowable Subject Matter

Art Unit: 3654

Claim 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Claims 1, 11, and 21-22 have been amended.

Claim 20 has been canceled.

Claim 28 has been added.

Applicant's arguments filed on 12/22/05 have been fully considered but they are not persuasive with respect to claims 1-19 and 21-28.

Applicant argues that Owaki fails to teach applicant's claimed device because the sealing sleeve 1 used with a drum 21 to engage a coil of steel 22 operates as a "chuck" rather than a "core member." Applicant believes that the sealing sleeve is an extension of the drum that functions as a chuck to engage the coil of steel.

Examiner disagrees with the applicant's assessment. Even if Owaki's apparatus functionally differs from the applicant's claimed invention, Owaki still shows all the structural elements claimed by the applicant. Owaki shows two separate elements including: a drum 21 acting as a chuck, and a sealing sleeve 1 acting as a core member. As stated above, the sealing sleeve 1 is inserted over the drum 21, and the drum may be adjusted by expanding the drum to accommodate the coil of steel strip. Furthermore, the sealing sleeve 1 is in-between the drum and the coil of steel strip

Art Unit: 3654

which acts as a "core member" to wind and unwind the coil of steel strip. As broadly construed, Owaki meets applicant's claimed invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 571-272-6947. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

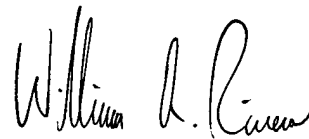
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki, can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

2/11/06

A handwritten signature in black ink, appearing to read "William A. Rivera". The signature is fluid and cursive, with the first name "William" and last name "Rivera" clearly distinguishable.

**WILLIAM A. RIVERA
PRIMARY EXAMINER**